

CLOSED

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:17-cv-12022-FDS**

Commonwealth of Massachusetts et al v. United States
Department of Homeland Security et al
Assigned to: Judge F. Dennis Saylor, IV
Cause: 05:552 Freedom of Information Act

Date Filed: 10/17/2017
Date Terminated: 10/02/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Commonwealth of Massachusetts

represented by **Conor P. Duffy**
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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V.

Defendant

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Defendant

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Defendant

**United States Citizenship and
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Defendant

**United States Customs and Border
Protection**

represented by **Anita Johnson**
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/17/2017	<u>1</u>	COMPLAINT against All Defendants Filing fee: \$ 400, receipt number 0101-6843571 (Fee Status: Filing Fee paid), filed by COMMONWEALTH OF MASSACHUSETTS, District of Columbia, State of California, State of Hawaii, State of Illinois, State of Iowa, State of Maryland, State of New York, State of Oregon, State of Washington. (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> Category Form, # <u>3</u> Summons)(Sclarsic, Jonathan) (Attachment 1 replaced on 10/17/2017 due to fillable format) (DaSilva, Carolina). (Attachment 2 replaced on 10/17/2017 due to fillable format) (DaSilva, Carolina). (Attachment 3 replaced on 10/17/2017 due to fillable format) (DaSilva, Carolina). (Entered: 10/17/2017)
10/17/2017	<u>2</u>	ELECTRONIC NOTICE of Case Assignment. Judge F. Dennis Saylor, IV assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Donald L. Cabell. (Caruso, Stephanie) (Entered: 10/17/2017)
10/17/2017	<u>3</u>	Summons Issued as to United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (DaSilva, Carolina) (Entered: 10/17/2017)
12/01/2017	<u>4</u>	SUMMONS Returned Executed United States Citizenship and Immigration Services served on 10/23/2017, answer due 11/13/2017; United States Customs and Border Protection served on 10/23/2017, answer due 11/13/2017; United States Department of Homeland Security served on 10/23/2017, answer due 11/13/2017; United States Immigration and Customs Enforcement served on 10/27/2017, answer due 11/17/2017. (Sclarsic, Jonathan) (Entered: 12/01/2017)
12/04/2017	<u>5</u>	ELECTRONIC NOTICE of Hearing. Status Conference set for 1/11/2018 02:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. Counsel receiving this notice are directed to serve copy of the notice of hearing on all defendants. (Pezzarossi, Lisa) (Entered: 12/04/2017)
12/05/2017	<u>6</u>	NOTICE of Appearance by Anita Johnson on behalf of United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement (Johnson, Anita) (Entered: 12/05/2017)
12/08/2017	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Lourdes M. Rosado by State of New York.(Halley, Taylor) (Entered: 12/11/2017)
12/08/2017	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Scott Kaplan by State of Oregon.(Halley, Taylor) (Entered: 12/11/2017)
12/08/2017	<u>9</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Chalia Stallings--Ala'ilima by State of Washington.(Halley, Taylor) (Entered: 12/11/2017)
12/08/2017	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Steven M. Sullivan by State of Maryland.(Halley, Taylor) (Entered: 12/11/2017)
12/08/2017	<u>11</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Caitlyn McEllis by State of Illinois.(Halley, Taylor) (Entered: 12/11/2017)
12/08/2017	<u>12</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Nathan Blake by State of Iowa.(Halley, Taylor) (Entered: 12/11/2017)
12/08/2017	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Stella M.L. Kam by State of Hawaii.(Halley, Taylor) (Entered: 12/11/2017)

12/08/2017	<u>14</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Robyn R. Bender by District of Columbia.(Halley, Taylor) (Entered: 12/11/2017)
12/12/2017	<u>15</u>	NOTICE of Appearance by Sara A. Colb on behalf of Commonwealth of Massachusetts (Colb, Sara) (Entered: 12/12/2017)
12/19/2017	<u>17</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Satoshi Yanai by State of California.(Halley, Taylor) (Entered: 12/20/2017)
12/20/2017	16	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>7</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>8</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>9</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>10</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>11</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>12</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>13</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>14</u> Motion for Leave to Appear Pro Hac Vice (Halley, Taylor) Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov . Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Entered: 12/20/2017)
12/20/2017	18	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>17</u> Motion for Leave to Appear Pro Hac Vice Added Satoshi Yanai. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Halley, Taylor) (Entered: 12/20/2017)
12/22/2017	<u>19</u>	Assented to MOTION for Extension of Time to 1/26/2018 to File Answer by United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Johnson, Anita) (Entered: 12/22/2017)
01/02/2018	20	ELECTRONIC NOTICE Canceling Hearing. Status conference set for 1/11/2018 is OFF. (Pezzarossi, Lisa) (Entered: 01/02/2018)
01/02/2018	21	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>19</u> Motion for Extension of Time to Answer: United States Citizenship and Immigration Services answer due 1/26/2018; United States Customs and Border Protection answer due 1/26/2018; United States Department of Homeland Security answer due 1/26/2018; United States Immigration and Customs Enforcement answer due 1/26/2018. (Pezzarossi, Lisa) (Entered: 01/02/2018)
01/02/2018	<u>22</u>	NOTICE of Scheduling Conference Scheduling Conference set for 2/21/2018 02:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Attachments: # <u>1</u> Text of Proposed Order)(Pezzarossi, Lisa) (Entered: 01/02/2018)
01/26/2018	<u>23</u>	ANSWER to <u>1</u> Complaint,, by United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Johnson, Anita) (Entered: 01/26/2018)
02/15/2018	<u>24</u>	JOINT STATEMENT re scheduling conference . (Attachments: # <u>1</u> Rule 16.1 Certification of the Parties)(Sclarsic, Jonathan) (Entered: 02/15/2018)
02/21/2018	<u>25</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Valerie M. Nannery by District of Columbia.(Halley, Taylor) (Entered: 02/21/2018)
02/21/2018	26	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>25</u> Motion for Leave to Appear Pro Hac Vice Added Valerie M. Nannery. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Halley, Taylor) (Entered: 02/21/2018)
02/21/2018	28	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Scheduling Conference held on 2/21/2018. Case called. Colloquy re: discovery,

		production of documents and Govt's anticipated deadline for production of 11/30/2018. Court orders rolling production on monthly basis. CIS and Customs and Border Protection completed by 9/30/2018. Court set matter for status. NOTICE OF HEARING: Status Conference set for 6/4/2018 03:40 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter: Valerie OHara at vaohara@gmail.com.)(Attorneys present: Sclarsic, Colb, Johnson, Manning) (Pezzarossi, Lisa) (Entered: 04/16/2018)
02/22/2018	27	Filing fee/payment: \$ 100, receipt number 1BST066995 for 26 Order on Motion for Leave to Appear, (Halley, Taylor) (Entered: 02/22/2018)
05/29/2018	<u>29</u>	First MOTION for Extension of Time to N/A to Reschedule Status Conference by Commonwealth of Massachusetts.(Sclarsic, Jonathan) (Entered: 05/29/2018)
05/29/2018	30	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>29</u> Joint Motion to Reschedule the 6/4/2018 status conference. The Status Conference has been rescheduled for 6/20/2018 02:20 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 05/29/2018)
06/20/2018	31	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 6/20/2018. Case called. Parties report on status of rolling production. Court set further status for 10/3/2018 at 2:30 PM. (Court Reporter: Valerie OHara at vaohara@gmail.com.)(Attorneys present: J. Sclarsic (ph), Johnson) (Pezzarossi, Lisa) (Entered: 06/21/2018)
07/02/2018	<u>32</u>	NOTICE of Withdrawal of Appearance by Jonathan Sclarsic (Sclarsic, Jonathan) (Entered: 07/02/2018)
08/08/2018	33	ELECTRONIC NOTICE of Hearing. Status Conference set for 10/3/2018 02:30 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 08/08/2018)
09/21/2018	<u>34</u>	NOTICE of Appearance by Kevin W. Manganaro on behalf of Commonwealth of Massachusetts (Manganaro, Kevin) (Entered: 09/21/2018)
10/03/2018	35	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 10/3/2018. Parties reported on document production. Court set further hearing. NOTICE OF HEARING: Status Conference set for 12/13/2018 03:10 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter: Valerie OHara at vaohara@gmail.com.)(Attorneys present: K. Manganaro, A. Johnson) (Pezzarossi, Lisa) (Entered: 10/11/2018)
12/10/2018	<u>36</u>	Joint MOTION to Continue Status Conference to 1/31/2019 by United States Citizenship and Immigration Services.(Johnson, Anita) (Entered: 12/10/2018)
12/11/2018	37	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>36</u> Motion to Continue Status Conference set for 1/31/2018 02:30 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 12/11/2018)
01/03/2019	<u>38</u>	NOTICE of Withdrawal of Appearance by Kevin W. Manganaro (Manganaro, Kevin) (Entered: 01/03/2019)
01/25/2019	39	NOTICE Resetting a Hearing. Due to Government shutdown, the status conference set for 1/31/2019 is OFF. The Status Conference has been rescheduled for 3/7/2019 10:00 AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 01/25/2019)
02/12/2019	40	NEW TIME ONLY --- ELECTRONIC NOTICE OF RESCHEDULING Status Conference RESET for 3/7/2019 09:40 AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 02/12/2019)
02/22/2019	41	TIME CHANGE ONLY ELECTRONIC NOTICE OF RESCHEDULING Status Conference set for 3/7/2019 09:10 AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 02/22/2019)

03/01/2019	<u>42</u>	Joint MOTION to Continue status conference by United States Citizenship and Immigration Services.(Johnson, Anita) (Entered: 03/01/2019)
03/05/2019	43	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>42</u> Motion to Continue. The 3/7/2019 status conference is OFF. NOTICE RESETTING HEARING: Status Conference reset for 4/17/2019 03:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 03/05/2019)
03/28/2019	<u>44</u>	NOTICE of Withdrawal of Appearance Attorney Lourdes M Rosado terminated. (Halley, Taylor) (Entered: 04/01/2019)
03/28/2019	<u>45</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Conor P. Duffy by Commonwealth of Massachusetts.(Halley, Taylor) (Entered: 04/01/2019)
04/01/2019	46	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>45</u> Motion for Leave to Appear Pro Hac Vice Added Conor P. Duffy. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Halley, Taylor) (Entered: 04/01/2019)
04/05/2019	<u>47</u>	Assented to MOTION to Continue status conference to 5/31/2019 <i>or Other Late May Date</i> by United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Johnson, Anita) (Entered: 04/05/2019)
04/08/2019	48	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>47</u> Motion to Continue Status Conference. Status Conference RESET for 6/5/2019 03:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 04/08/2019)
06/04/2019	<u>49</u>	Joint MOTION to Continue Status Conference to August 2019 by Commonwealth of Massachusetts.(Colb, Sara) (Entered: 06/04/2019)
06/04/2019	50	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>49</u> Motion to Continue Status Conference set for 8/9/2019 03:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 06/04/2019)
08/08/2019	<u>51</u>	Joint MOTION for Extension of Time to 9/3/2019 to date of status conference by United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Johnson, Anita) (Entered: 08/08/2019)
08/09/2019	52	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>51</u> Motion for Extension of Time. Notice of Hearing: Status Conference set for 9/10/2019 02:30 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Bono, Christine) (Entered: 08/09/2019)
09/10/2019	53	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 9/10/2019. Plaintiff's counsel requests court set a date certain for completion of remaining document production; court sets date of 10/7/19. Court sets further status conference for same date. NOTICE OF HEARING: Status Conference set for 10/7/2019 03:30 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter: Valerie OHara at vaohara@gmail.com .) (Attorneys present: Colb, Johnson, Stallings-Ala'ilima) (Bono, Christine) (Entered: 09/11/2019)
10/01/2019	<u>54</u>	STIPULATION of Dismissal by Commonwealth of Massachusetts. (Colb, Sara) (Entered: 10/01/2019)
10/04/2019	55	ELECTRONIC NOTICE Canceling 10/7/2019 Status Conference, in light of <u>54</u> . (Bono, Christine) (Entered: 10/04/2019)